



OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301-1400

03 MAY 1996

PUBLIC AFFAIRS

Ref: 96-F-0457

Dr. A. Victorian
P.O. Box 99
West PDO
Nottingham, NG8 3NT
ENGLAND

Dear Dr. Victorian:

This responds to your Freedom of Information Act (FOIA) request of February 24, 1996 (Ref: BX-296). Our interim response of March 27, 1996, refers.

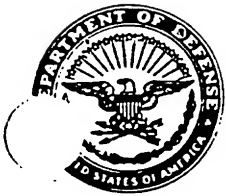
The Office of the Assistant Secretary of Defense (Command Control Communications and Intelligence), and the Directorate for Administration & Management, Washington Headquarters Services, have provided the enclosed documents as responsive to your request. There are no assessable fees for this response in this instance.

Sincerely,

A handwritten signature in black ink, appearing to read "A. H. Passarella", is positioned above the printed name.

A. H. Passarella
Director
Freedom of Information
and Security Review

Enclosures:
As stated



THE SECRETARY OF DEFENSE
WASHINGTON, THE DISTRICT OF COLUMBIA

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OSD

5 SEP 1995

MEMORANDUM FOR THE PRESIDENT

WHITE HOUSE LIAISON

THROUGH: DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET

SUBJECT: Implementation of Executive Order 12958, "Classified National Security Information"

The Department of Defense has made significant progress in preparing to implement Executive Order 12958 by October 14, 1995. We have focused on the Order's declassification provisions, in particular, as a vehicle for providing as much information as possible to the public.

Among other actions, I have formed a Declassification Management Panel to coordinate and focus our declassification efforts throughout the Department. The Services and Defense Agencies, with literally millions of pages of classified records, are working to identify and segregate permanently valuable records and file series that could be exempt from automatic declassification. I have also established a Historical Records Declassification Advisory Panel, comprised of prominent historians, to develop a listing of topical areas that - from a historical and public interest perspective - the Department will consider for declassification immediately.

Despite our extensive preparations, it is clear that we will not meet your October 14, 1995, deadline for providing all of our recommendations for exempting file series from automatic declassification at 25 years. Among other factors, records of the Military Departments and other DoD Components are being physically relocated by the National Archives to a new facility and some are not available for review. If adequate time is not available for a quality review effort, too much information will be proposed for exemption. This could defeat the purpose of a key feature of the Order.

I ask that you grant the Department a six month delay to properly identify and review these records. In the interim, we will forward a partial recommendation by October 14, 1995, on records to be exempt from declassification and will continue work to fully implement the Executive Order.

William J. Perry

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Ed. J.



Department of Defense
Declassification Plan

Executive Order 12958
Classified National Security Information

Department of Defense Declassification Plan

Executive Order 12958
Classified National Security Information

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HRDAP

Department of Defense Declassification Plan

Executive Order 12958 Classified National Security Information

Foreword

Executive Order 12958, Classified National Security Information, prescribes a uniform system for classifying, safeguarding, and declassifying national security information. The Executive Order accommodates changes in the new world order, recognizes the end of the Cold War, and conforms with the President's commitment to government openness. In signing the Order on April 17, 1995, the President noted that our democratic principles require that the American people be informed of the activities of their Government. Our Nation's continued progress and prosperity depends on the free flow of information.

Throughout our history, the national interest has required that certain information be maintained in confidence to protect our citizens, our democratic institutions, and our participation within the community of nations. Nevertheless, in recent years dramatic changes have altered, although not eliminated, the national security threats that we confront. These changes provide a greater opportunity to emphasize our commitment to open Government.

This Declassification Plan responds to the President's challenge - to declassify and release the hundreds of millions of pages of the public's information classified within the Department of Defense over the past 50 years or more. In undertaking this challenge, I urge you to adhere to the Department's guiding principle to focus on releasing the information that will be of the greatest value and interest to the public and academia.



Emmett Paige, Jr.
Assistant Secretary of Defense
(Command, Control, Communications,
and Intelligence)

October 1995

Department of Defense Declassification Plan

Applicability

This Department of Defense (DoD) Declassification Plan applies to all DoD Components (the Office of the Secretary of Defense, the Military Departments, the Joint Chiefs of Staff, the Unified Combatant Commands, and the Defense Agencies).

Individual DoD Component plans will be submitted to the Assistant Secretary of Defense (Command, Control, Communications and Intelligence), and will be included as appendices to this plan.

The policies contained in the Defense Declassification Plan apply to all classified DoD records determined under Federal law to have permanent historical value wherever they may be stored. In the case of Presidential or White House material accessioned into the National Archives or maintained in Presidential Libraries, the Archivist of the United States will develop a plan to comply with section 3.4 of Executive Order 12958.

This Plan does not pertain to the declassification of Restricted Data or Formerly Restricted Data under the Atomic Energy Act of 1954, as amended. Within the Department of Defense, the Central Imagery Office is responsible for administering the declassification program for space-based imagery under the terms of Executive Order 12951, "Release of Imagery Acquired by Space-Based National Intelligence Reconnaissance Systems." Special procedures for the declassification of cryptologic information are included within the declassification plan of the National Security Agency.

Responsibility

The Assistant Secretary of Defense (Command, Control, Communications and Intelligence) (ASD(C3I)) is responsible for administering the Defense Declassification Plan and will ensure it is updated as required. Revised DoD Component Plans will be submitted to the ASD(C3I) upon revision or as requested. Declassification policy and implementing guidance contained in this Plan will be consistent with DoD 5200.1-R, "Information Security Program Regulation."

DoD Declassification Review Management

The DoD senior management will oversee the declassification review process within the Department through the activities of two separate, but related mechanisms: the DoD Declassification Management Panel and the Historical Records Declassification Advisory Panel. Both Panels are necessary to ensure Department-wide consistency in declassification activities, unity of effort, and resolution of conflicts and issues regarding classification or declassification among DoD Components. The process by which each Panel will operate is depicted at Appendix A.

- **DoD Declassification Management Panel**

Through its DoD Declassification Management Panel (DDMP), the Office of the Secretary of Defense will manage the declassification review activity of the Department undertaken in compliance with section 3.4 of Executive Order 12958. The DDMP, comprised of major DoD Component representatives, will meet at the call of the chairman, the Deputy Assistant Secretary of Defense (Intelligence and Security), to resolve cross-cutting issues and ensure consistency among DoD elements. The terms of reference for the DDMP are at Appendix B.

- **Historical Records Declassification Advisory Panel.**

The Historical Records Declassification Advisory Panel (HRDAP) was established in accordance with the Federal Advisory Committee Management Act as a special element under the DoD Historical Advisory Committee (charter at Appendix C). The HRDAP is comprised of a group of historians, political scientists, and others who will assist the Defense Department in identifying the topical areas that, from a historical perspective, would be of the greatest interest to the public if declassified.

The HRDAP will conduct open sessions under the sponsorship of the ASD(C3I) and the Historian of the Office of the Secretary of Defense, to solicit input from the public at large on topical areas of interest. A number of the HRDAP members may undergo personnel security investigations in order to conduct samplings of classified records at various DoD records holding sites and validate draft topical listings. The Panel's final listing of topical areas recommended for declassification will be coordinated throughout the Department via DDMP members. Final decisions on topics that will be declassified will be made by the senior DoD leadership.

Declassification Policy

Executive Order 12958 maintains the commitment to respond to individual requests for information under the mandatory declassification provisions, but also includes two additional programs: "automatic" declassification of records 25 years old or older, and "systematic" declassification review of historically valuable information exempted from automatic declassification.

There are a multitude of declassification programsⁱ - either mandated by previous Executive Orders or established by Executive Order 12958. Since the cost of these programs in the aggregate will entail substantial expenditures for the Defense Department, a clear methodology for focused implementation is necessary. The guiding principle within DoD is to release, to the maximum extent possible, information of value and interest to the public and academia. The Department's declassification policy is therefore focused on building the infrastructure and processes necessary to execute a robust systematic declassification program based on value and interest, with the intent of declassifying information older than 25 years, but on a topical basis.

Topical declassification reviews will be of the greatest benefit to the public because topics will be coordinated for focused declassification efforts across the Defense and, as necessary, the Intelligence Community. Moreover, once a decision is made by the senior leadership within the Department to declassify a topical area, declassification reviews will include material otherwise exempt from automatic declassification.

General Provisions

From both a resource and openness perspective, effective implementation of Executive Order 12958 will be dependent on a strong information management program. Records management, classification management, and information release are functions that must be performed in an integrated manner throughout the Department of Defense. Effective classification management will reduce the amount of information classified unnecessarily, lower costs, and facilitate future declassification.

Any DoD Component in possession of classified information that originated within an element of that Component which has ceased to exist is deemed to be the originating authority for declassification purposes. To enhance the effectiveness of applied DoD resources, 25-year declassification reviews shall be conducted primarily under Component systematic declassification programs, and will be:

- Focused on those records where there is a high likelihood of both declassification and public, academic, or historical researcher interest.
- Undertaken with a view toward declassifying entire topical areas so that the complete "story" or underlying decision process is made available.
- Conducted in such a fashion that both declassification and public release are accomplished simultaneously.
- Accomplished ordinarily without redacting records to achieve declassification and release. When researcher interest is high and redaction effort is low, redaction becomes an appropriate use of declassification review resources.
- Accomplished through extensive redaction only when an approved topical area declassification requirement has been imposed by DoD senior leadership. When utilized, extensive redaction will be conducted in a manner that does not distort the declassified and released portion of a record.
- Performed in a manner designed to isolate and/or avoid the release of foreign government information that has been provided to the Department under the expressed or implied promise of confidentiality.
- Performed using automated techniques and communications systems to the maximum extent practical. Released records will be made available to the public on the Internet or other electronic means to the extent practicable. Insofar as possible, pre-decisional record referrals should be passed via classified networks such as IntellINK.

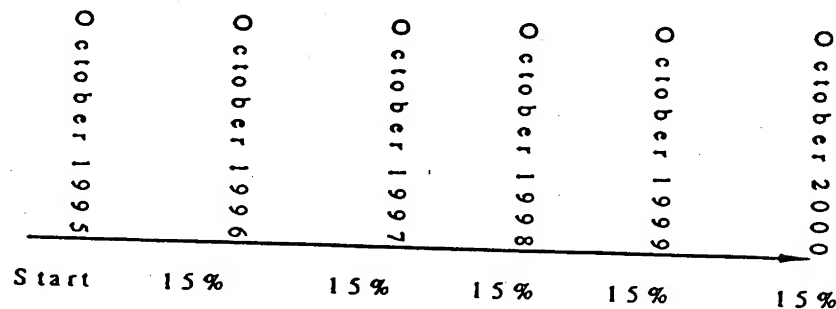
Five-Year Record Declassification Targets

During the first year the Executive Order is in effect, the Department of Defense will declassify fifteen percent of its total holdings of permanently valuable records that are 25 or more years old. Fifteen percent annual goals are established for the subsequent four years of the Order. File series exempted by the President will not be included in the fifteen percent calculation. The DoD Declassification Management Panel will

monitor this activity and consider recommended adjustments to the annual goals based on experience gained during the initial phases of this work.

The Defense-wide declassification targets for the upcoming five years under this plan are as follows:

D o D D e c l a s s i f i c a t i o n T a r g e t s (P e r m a n e n t R e c o r d s)



The percentage of records to be declassified is calculated from the balance of classified records that have not been excluded from automatic declassification by the President. The volume¹ of records to be declassified each year will be recalculated based on the best information available at the time.

To assist the departments and agencies of the Executive Branch, the National Archives and Records Administration (NARA) has categorized its holdings into the following categories:

Category 1 - Records replete with exemptable classified information (high sensitivity)

Category 2 - Records with moderate amounts of classified information (medium sensitivity)

Category 3 - Records with little classified information (low sensitivity)

¹ Volume of Records. The following uniform measures will be used:

- Cubic foot - 2,500 pages
- Safe drawer - 3 cubic foot or approximately 7,500 pages
- Federal Record Center Box - 1 cubic foot
- Archival box - 1/4 cubic foot or approximately 625 pages

While gaining experience, DoD Components should concentrate their first year's effort in Category 3 records. Doing so should ensure that the Department will achieve the first year's fifteen percent declassification goal.

DoD declassification review personnel should give Category 3 records a cursory examination to confirm the judgment of NARA that there is little chance of endangering national security by allowing Category 3 records to be released. While making this review, personnel will simultaneously review the material to satisfy other factors that potentially could dictate withholding declassified records from public release. The Privacy Act, for example, may come into play even though national security sensitivities have been overcome. The goal is to review the material only once.

During the first year of operation under this plan, declassification personnel may elect not to review file series that contain significant amounts of information classified by other agencies. Such material should be held as classified until interagency reviews or referrals can be coordinated and accommodated efficiently.

Files Series Exemptions

The Secretary of Defense will notify the President through the Assistant to the President for National Security Affairs by October 14, 1995 of any specific file series of records which are replete with information that almost invariably falls within one of the exemption categories listed in section 3.4(b) of Executive Order 12958. Subsequent to this one-time report to the President, future proposals on information to be exempted from declassification at the 25-year mark will be forwarded by DoD Components to the ASD(C3I) for forwarding to the Office of Management and Budget, as appropriate.

File series exemptions approved as such by the President will be included as appendices to this Plan.

In that retention of official DoD records is governed by Title 44 of the United States Code, retention is based on the value of the information -- regardless of its classification. This means that all classified DoD records must be scheduled for disposition and cannot be held due to the security classification of the record. DoD Components may not develop separate records schedules for classified information, based solely upon the security classification of the record.

Component proposed exemption requests must include:

- An explanation of why the information within each file series is almost invariably exempt from automatic declassification;
- An explanation why the information must remain classified for a longer period of time in the interest of national security; and
- A specific date or event for declassification of the information (except for the identity of a confidential human source or a human intelligence source).

Although records may be approved for exemption from declassification at the 25-year mark, the information remains subject to mandatory, systematic, and Freedom of Information Act reviews. Moreover, topical areas may be selected by the DoD senior leadership as worthy of declassification due to researcher or historical interest. Topical declassification reviews will cause all information on a given subject area - regardless of exemption status - to be reviewed throughout the Department. The collective impact of these policies is to subject all classified information to continuous, systematic review through a variety of declassification programs, increasing the likelihood of early release.

Record Volume

The overall volume of 25-year old, permanently valuable records of the Department of Defense is being gauged. That volume is forecast to exceed 500 million pages.

Record Locations

Records subject to this plan are located in DoD Components activities, the Washington National Records Center, and the National Archives of the United States.

Resources

To be determined.

Declassification Programs. The following declassification programs already exist or are mandated by the new Executive Orders.

- **Mandatory Declassification.** Individual information requests by private citizens or groups made under the mandatory declassification program of EO 12958 or Freedom of Information Act (FOIA). Material is reviewed for declassification, but also must be screened for applicable exclusions provided by Government-wide FOIA procedures.

- **Imagery Declassification.** An Imagery Classification Review Task Force was established in 1993 to respond to tasking by DCI Gates. The DCI tasking was to prepare a plan that would - 1) eliminate the codeword RUFF; 2) recommend how to remove or reword imagery reference data from imagery reports; and 3) lead a Community review to examine whether the TALENT-KEYHOLE compartment could be eliminated, and if not, develop a plan to decompartment and declassify more imagery through changes in imagery classification policy. The task force recommended several changes: 1) decompartment most current and archived imagery; 2) declassify early film return imagery; 3) systematically review later imagery for declassification; 4) review imagery from airborne platforms for declassification; and 5) craft a policy for declassification of products from current imagery. Executive Order 12951, signed on February 22, 1995, resulted from this effort, and supported the President's focus on the environment and the use of declassified imagery for environmental studies.

- **Special Interest Topics.** Since at least 1992, the Defense and Intelligence Communities have reacted to special searches for information driven by the Executive Department, Congress or special interest groups. Major searches and declassification efforts included topics such as, records on BCCI, MIA/POW, the JFK assassination, human radiation testing, Persian Gulf War veteran's illnesses, etc. These searches are ad hoc and unprogrammed.

- **Automatic Declassification.** New program initiated by Executive Order 12958 provides for declassification of all records 25 years old or older determined to have permanent historical value. Nine categories of information are exempted from automatic declassification, if the release of the data could be expected to:

- (1) reveal the identity of a confidential human source, or reveal information about the application of an intelligence source or method, or reveal the identity of a human intelligence source when the unauthorized disclosure of that source would clearly and demonstrably damage the national security interests of the United States;

- (2) reveal information that would assist in the development or use of weapons of mass destruction;

- (3) reveal information that would impair US cryptologic systems or activities;

- (4) reveal information that would impair the application of state of the art technology within a US weapon system;

- (5) reveal actual US military war plans that remain in effect;

- (6) reveal information that would seriously and demonstrably impair relations between the United States and a foreign government, or seriously and demonstrably undermine ongoing diplomatic activities of the United States;

- (7) reveal information that would clearly and demonstrably impair the current ability of United States Government officials to protect the President, Vice President, and other officials for whom protection services, in the interest of national security are authorized;

- (8) reveal information that would seriously and demonstrably impair current national security emergency preparedness plans; or

- (9) violate a statute, treaty, or international agreement.

Note: Records exempted from automatic declassification are not exempted from review, and declassification (if possible) with appropriate redaction, under the systematic declassification program.

- Systematic Declassification. As defined in Executive Order 12958, this program applied to historically valuable records exempted from automatic declassification. At the national level, the Order establishes an Information Security Policy Advisory Board to provide recommendations on priorities for declassification review. Priorities would be based on the degree of researcher interest and the likelihood of declassification upon review. Within the Defense Department, a Historical Records Declassification Advisory Panel (HRDAP) has been established under the DoD Historian's Advisory Committee to provide DoD a listing of those topical areas of the greatest interest to the public and academia.

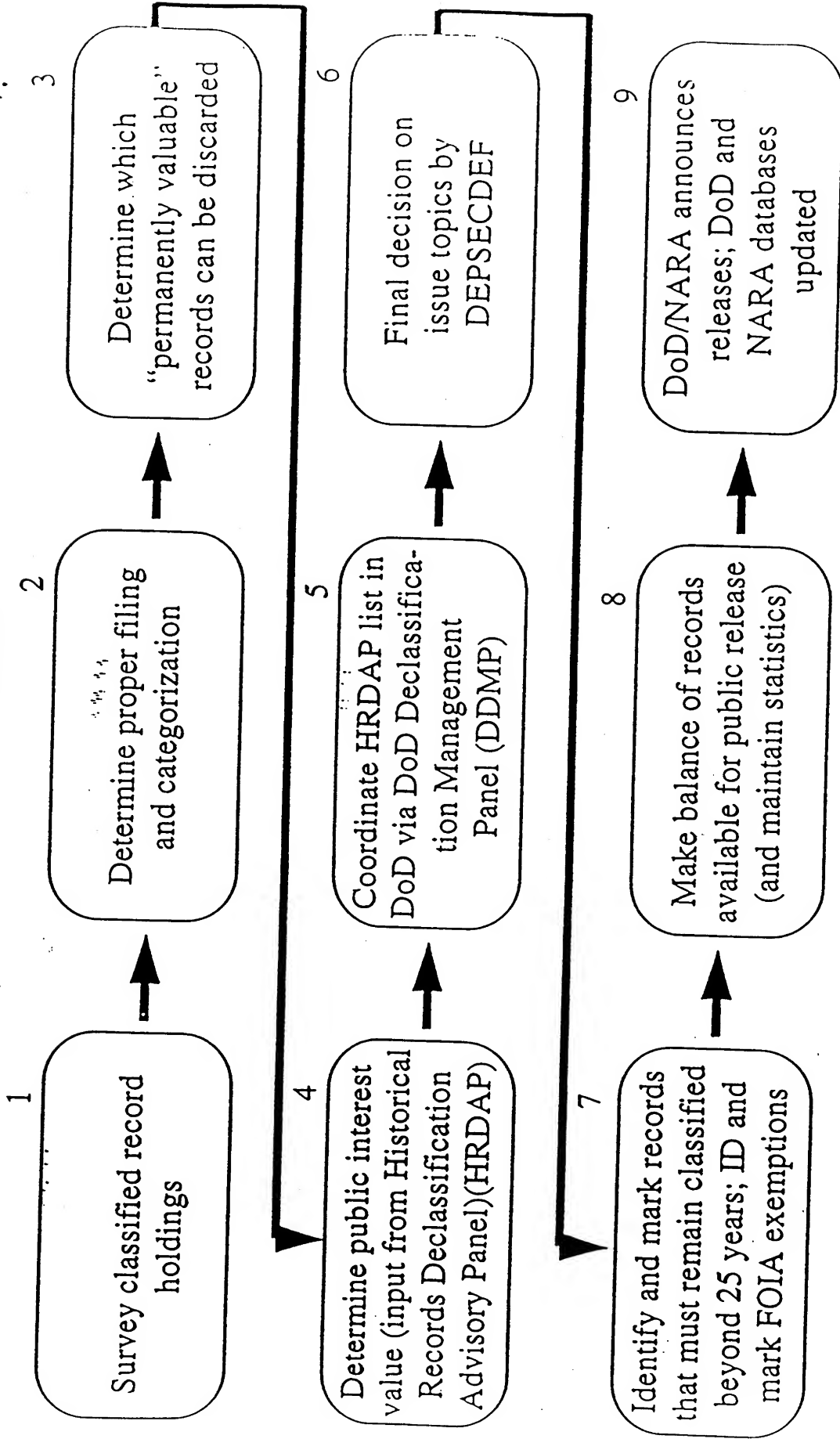
Appendix A

DoD Records Declassification Review Process

- Chart - (DoD Process)
- Chart - (Historical Records Declassification Advisory Panel) (HRDAP)

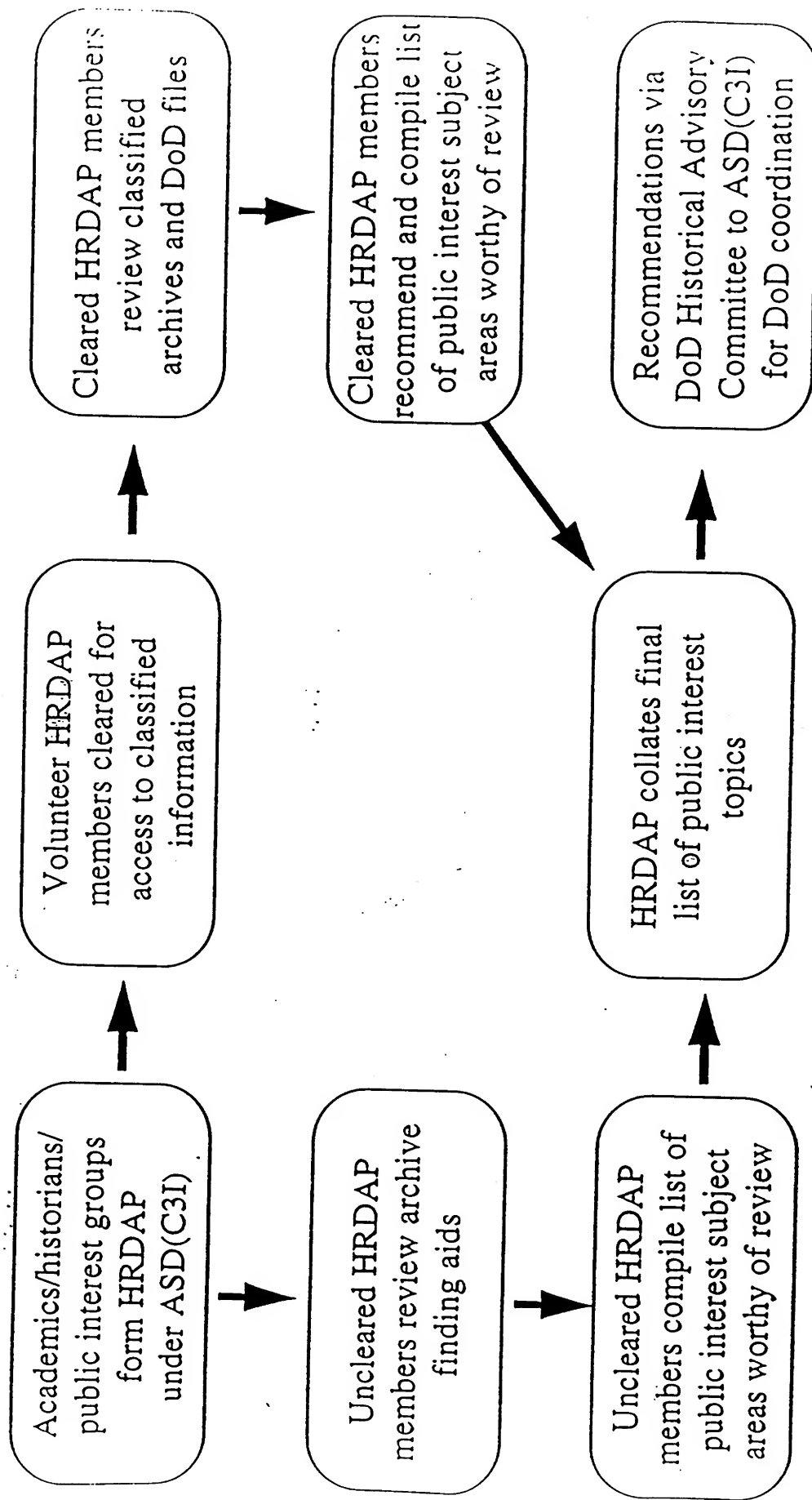
DoD Records Declassification Review

(DoD Process)



DoD Records Declassification Review

(Historical Records Declassification Advisory Panel) (HRDAP)



Terms of Reference DoD Declassification Management Panel

To ensure consistency of declassification efforts within the Department of Defense, and provide the Department's interface with the Historical Record Declassification Advisory Panel (HRDAP), a DoD Declassification Management Panel (DDMP) is established to guide all DoD Components with respect to implementation of section 3.4 of Executive Order 12958, "Classified National Security Information."

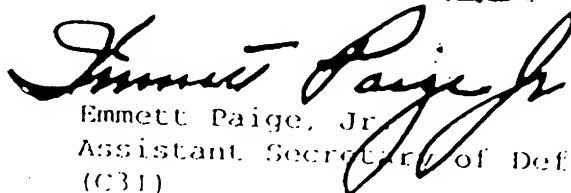
DoD Component heads, or their designees for this purpose, designate in writing a senior representative to serve on the DDMP. The ASD(C3I) representative and chairman is the Acting Deputy Assistant Secretary of Defense (Intelligence and Security). Defense Agencies that do not have extensive classified holdings subject to the requirements of section 3.4 of the Executive Order are not obligated to designate a member to the Panel. The functions of the Panel include:

- Oversight of the process of identifying specific files series of DoD records to be exempt for automatic declassification (reference section 3.4(c)).
- Ensuring consistency of individual DoD Component declassification plans, declassification decisions, and related actions.
- Resolving or recommending solutions to senior leadership on declassification policy conflicts that may arise between Components within the Department of Defense.
- Interaction with the Historical Records Declassification Advisory Panel, the Information Security Policy Advisory Council (reference section 5.5 of the Order), and the National Archives and Records Administration.

APPROVED:

DATE:

13 Oct 1995


Emmett Paige, Jr.
Assistant Secretary of Defense
(C3I)



OFFICE OF THE SECRETARY OF DEFENSE
1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950



ADMINISTRATION &
MANAGEMENT

November 29, 1995

Library of Congress
Exchange and Gift Division
Federal Advisory Committee Desk
Washington, D.C. 20540

Gentlemen:

Enclosed is a copy of the amended charter for the Department of Defense Historical Advisory Committee, which is being filed with you in accordance with P.L. 92-463, the "Federal Advisory Committee Act." The amendment entails the addition of a panel to advise on declassification of historical records.

Copies of this charter are also being filed with the Senate Committee on Armed Services and House Committee on National Security.

Sincerely,

SIGNED

Howard G. Becker
DoD Committee Management Officer

Enclosure

**CHARTER OF
THE DEPARTMENT OF DEFENSE (DOD) HISTORICAL ADVISORY COMMITTEE**

A. OFFICIAL DESIGNATION: DoD Historical Advisory Committee

B. OBJECTIVES AND SCOPE: The principal objective of the DoD Historical Advisory Committee (hereinafter referred to as the Committee) is to provide advice to the Secretary of Defense, the secretaries of the military departments, and the heads of such other components as may choose to participate, regarding the professional standards, historical methodology, program priorities, liaison with professional groups and institutions, and adequacy of resources, connected with the various historical programs and associated activities of the Department of Defense. These include: historical, archival, museum, library, art, curatorial, and related programs.

C. DURATION: Continuing.

D. OFFICIALS TO WHOM THE COMMITTEE REPORTS: The Committee reports to the Secretary of Defense through the Office of the Secretary of Defense (OSD) Historian. It will consist of subcommittees as established by the military departments and other components. These subcommittees will report to the respective service secretaries or component heads through their historical offices on matters concerning their respective historical programs. The World War II Commemorative Panel will continue to report through the Army for the duration of its activities.

One of the subcommittees, the Historical Records Declassification Advisory Panel (HRDAP), is established to assist the Department in identifying and setting priorities for declassifying Defense records. The Panel will be supported administratively by the Office of the Assistant Secretary of Defense for Command, Control, Communications, and Intelligence (OASD(C3I)), and report to the Secretary of Defense through the OSD Historian. The OSD Historian will serve as the chair of the Panel. The Office of the Deputy Director, Security Program Integration, OASD(C3I) will provide a representative to serve as the Executive Secretary of the Panel and perform the functions of the Designated Federal Officer.

It is anticipated that the HRDAP will meet in full complement approximately four times annually.

E. EXECUTIVE AGENT AND ADMINISTRATIVE SUPPORT ACTIVITY: The OSD Historian will act as executive agent for the DoD Historical Advisory Committee for the purpose of fulfilling the requirements

of the Federal Advisory Committee Act and DoD Directive 5105.4, the "DoD Federal Advisory Committee Management Program." The involved military departments and other DoD components will comply with the legal and procedural requirements, i. e., filing Federal Register notices, providing designated federal officers for meetings, and similar activities. The component subcommittees will be supported administratively and logistically by their respective historical offices. Annual reports of operations and substantive activities will be forwarded to the OSD Historian.

F. DUTIES AND RESPONSIBILITIES: The primary duties of the Committee and its subcommittees will be to: provide advice and recommendations to the Secretary of Defense, service secretaries, and other component heads regarding the missions, scope, adequacy of support, progress, integrity and productivity of the current programs; ensure the conformity of the methodology used with accepted professional standards; assist in ordering the priorities of historical publications and other segments of the programs; evaluate new projects and suggest alternative courses of action for the historical centers and programs.

G. MEMBERSHIP: Members for the DoD Historical Advisory Committee will represent the various academic and professional institutions associated with the Department's historical programs. Efforts will be made to ensure a balanced and diverse membership in terms of the functions to be performed and historical communities represented. There will be a total of from 35 to 40 members.

H. ESTIMATED ANNUAL OPERATING COSTS AND STAFF SUPPORT YEARS: It is estimated that the total annual costs of operations for travel, per diem, consultant fees, staff support, and other incidental costs, will not exceed \$30,000 to \$40,000. Staff support years are anticipated to be 2.0 years of effort annually.

I. NUMBER OF MEETINGS: Each subcommittee will meet approximately two to four times a year.

J. TERMINATION DATE: Indefinite.

K. DATE CHARTER FILED: 24 JAN 1994

AMENDMENT DATE: 29 NOV 1995

Historical Records Declassification Advisory Panel Members

Eliot Cohen
Professor of Strategic Studies
Paul H. Nitze School of Advanced
International Studies
Johns Hopkins University
MEMBER

Melvyn Leffler
History Department
University of Virginia
MEMBER

Ernest May
Harvard University
Kennedy School of Government
MEMBER

Marc Trachtenberg
Department of History
University of Pennsylvania
MEMBER

Robert Wampler
History Department
National Security Archive
MEMBER

Gerhard Weinberg
Professor of History
University of North Carolina
MEMBER

Dr. Jeffrey Clark
USA Center of Military History
MEMBER

Dr. William Dudley, Director
Naval Historical Center
MEMBER

Dr. Richard Hallion, Chief
Office of the Air Force History
MEMBER

Colonel Michael Monigan, ActDir
Marine Corps History & Museums
MEMBER

BG David A. Armstrong
Director for Joint History
MEMBER

Dr. Alfred Goldberg
Office of the Secretary of
Defense Historian
CHAIR, HRDAP

Ms. Rene Davis-Harding,
OASD(C3I)/ODASD(I&S)
Executive Secretary, HRDAP



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THE SECRETARY OF DEFENSE 96 F 0457

WASHINGTON, THE DISTRICT OF COLUMBIA

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MEMORANDUM FOR THE PRESIDENT WHITE HOUSE LIAISON

THROUGH: DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET

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William J. Perry

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Department of Defense Declassification Plan

Executive Order 12958 Classified National Security Information

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Throughout our history, the national interest has required that certain information be maintained in confidence to protect our citizens, our democratic institutions, and our participation within the community of nations. Nevertheless, in recent years dramatic changes have altered, although not eliminated, the national security threats that we confront. These changes provide a greater opportunity to emphasize our commitment to open Government.

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Emmett Paige, Jr.
Assistant Secretary of Defense
(Command, Control, Communications,
and Intelligence)

October 1995

Department of Defense Declassification Plan

Applicability

This Department of Defense (DoD) Declassification Plan applies to all DoD Components (the Office of the Secretary of Defense, the Military Departments, the Joint Chiefs of Staff, the Unified Combatant Commands, and the Defense Agencies).

Individual DoD Component plans will be submitted to the Assistant Secretary of Defense (Command, Control, Communications and Intelligence), and will be included as appendices to this plan.

The policies contained in the Defense Declassification Plan apply to all classified DoD records determined under Federal law to have permanent historical value wherever they may be stored. In the case of Presidential or White House material accessioned into the National Archives or maintained in Presidential Libraries, the Archivist of the United States will develop a plan to comply with section 3.4 of Executive Order 12958.

This Plan does not pertain to the declassification of Restricted Data or Formerly Restricted Data under the Atomic Energy Act of 1954, as amended. Within the Department of Defense, the Central Imagery Office is responsible for administering the declassification program for space-based imagery under the terms of Executive Order 12951, "Release of Imagery Acquired by Space-Based National Intelligence Reconnaissance Systems." Special procedures for the declassification of cryptologic information are included within the declassification plan of the National Security Agency.

Responsibility

The Assistant Secretary of Defense (Command, Control, Communications and Intelligence) (ASD(C3I)) is responsible for administering the Defense Declassification Plan and will ensure it is updated as required. Revised DoD Component Plans will be submitted to the ASD(C3I) upon revision or as requested. Declassification policy and implementing guidance contained in this Plan will be consistent with DoD 5200.1-R, "Information Security Program Regulation."

DoD Declassification Review Management

The DoD senior management will oversee the declassification review process within the Department through the activities of two separate, but related mechanisms: the DoD Declassification Management Panel and the Historical Records Declassification Advisory Panel. Both Panels are necessary to ensure Department-wide consistency in declassification activities, unity of effort, and resolution of conflicts and issues regarding classification or declassification among DoD Components. The process by which each Panel will operate is depicted at Appendix A.

- **DoD Declassification Management Panel**

Through its DoD Declassification Management Panel (DDMP), the Office of the Secretary of Defense will manage the declassification review activity of the Department undertaken in compliance with section 3.4 of Executive Order 12958. The DDMP, comprised of major DoD Component representatives, will meet at the call of the chairman, the Deputy Assistant Secretary of Defense (Intelligence and Security), to resolve cross-cutting issues and ensure consistency among DoD elements. The terms of reference for the DDMP are at Appendix B.

- **Historical Records Declassification Advisory Panel.**

The Historical Records Declassification Advisory Panel (HRDAP) was established in accordance with the Federal Advisory Committee Management Act as a special element under the DoD Historical Advisory Committee (charter at Appendix C). The HRDAP is comprised of a group of historians, political scientists, and others who will assist the Defense Department in identifying the topical areas that, from a historical perspective, would be of the greatest interest to the public if declassified.

The HRDAP will conduct open sessions under the sponsorship of the ASD(C3I) and the Historian of the Office of the Secretary of Defense, to solicit input from the public at large on topical areas of interest. A number of the HRDAP members may undergo personnel security investigations in order to conduct samplings of classified records at various DoD records holding sites and validate draft topical listings. The Panel's final listing of topical areas recommended for declassification will be coordinated throughout the Department via DDMP members. Final decisions on topics that will be declassified will be made by the senior DoD leadership.

Declassification Policy

Executive Order 12958 maintains the commitment to respond to individual requests for information under the mandatory declassification provisions, but also includes two additional programs: "automatic" declassification of records 25 years old or older, and "systematic" declassification review of historically valuable information exempted from automatic declassification.

There are a multitude of declassification programs¹ - either mandated by previous Executive Orders or established by Executive Order 12958. Since the cost of these programs in the aggregate will entail substantial expenditures for the Defense Department, a clear methodology for focused implementation is necessary. The guiding principle within DoD is to release, to the maximum extent possible, information of value and interest to the public and academia. The Department's declassification policy is therefore focused on building the infrastructure and processes necessary to execute a robust systematic declassification program based on value and interest, with the intent of declassifying information older than 25 years, but on a topical basis.

Topical declassification reviews will be of the greatest benefit to the public because topics will be coordinated for focused declassification efforts across the Defense and, as necessary, the Intelligence Community. Moreover, once a decision is made by the senior leadership within the Department to declassify a topical area, declassification reviews will include material otherwise exempt from automatic declassification.

General Provisions

From both a resource and openness perspective, effective implementation of Executive Order 12958 will be dependent on a strong information management program. Records management, classification management, and information release are functions that must be performed in an integrated manner throughout the Department of Defense. Effective classification management will reduce the amount of information classified unnecessarily, lower costs, and facilitate future declassification.

Any DoD Component in possession of classified information that originated within an element of that Component which has ceased to exist is deemed to be the originating authority for declassification purposes. To enhance the effectiveness of applied DoD resources, 25-year declassification reviews shall be conducted primarily under Component systematic declassification programs, and will be:

- Focused on those records where there is a high likelihood of both declassification and public, academic, or historical researcher interest.
- Undertaken with a view toward declassifying entire topical areas so that the complete "story" or underlying decision process is made available.
- Conducted in such a fashion that both declassification and public release are accomplished simultaneously.
- Accomplished ordinarily without redacting records to achieve declassification and release. When researcher interest is high and redaction effort is low, redaction becomes an appropriate use of declassification review resources.
- Accomplished through extensive redaction only when an approved topical area declassification requirement has been imposed by DoD senior leadership. When utilized, extensive redaction will be conducted in a manner that does not distort the declassified and released portion of a record.
- Performed in a manner designed to isolate and/or avoid the release of foreign government information that has been provided to the Department under the expressed or implied promise of confidentiality.
- Performed using automated techniques and communications systems to the maximum extent practical. Released records will be made available to the public on the Internet or other electronic means to the extent practicable. Insofar as possible, pre-decisional record referrals should be passed via classified networks such as IntellINK.

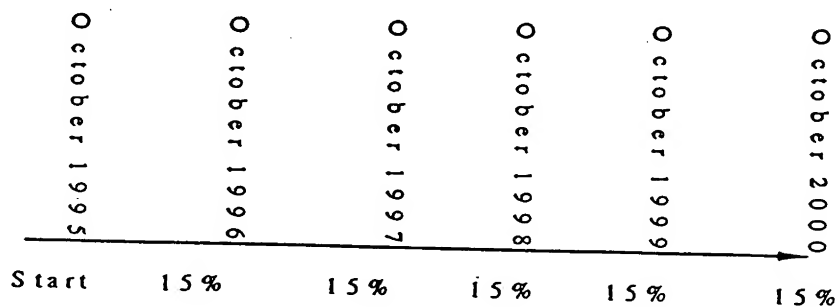
Five-Year Record Declassification Targets

During the first year the Executive Order is in effect, the Department of Defense will declassify fifteen percent of its total holdings of permanently valuable records that are 25 or more years old. Fifteen percent annual goals are established for the subsequent four years of the Order. File series exempted by the President will not be included in the fifteen percent calculation. The DoD Declassification Management Panel will

monitor this activity and consider recommended adjustments to the annual goals based on experience gained during the initial phases of this work.

The Defense-wide declassification targets for the upcoming five years under this plan are as follows:

D o D D eclassification Targets (P e r m a n e n t R e c o r d s)



The percentage of records to be declassified is calculated from the balance of classified records that have not been excluded from automatic declassification by the President. The volume¹ of records to be declassified each year will be recalculated based on the best information available at the time.

To assist the departments and agencies of the Executive Branch, the National Archives and Records Administration (NARA) has categorized its holdings into the following categories:

Category 1 - Records replete with exemptable classified information (high sensitivity)

Category 2 - Records with moderate amounts of classified information (medium sensitivity)

Category 3 - Records with little classified information (low sensitivity)

¹ Volume of Records. The following uniform measures will be used:

- Cubic foot = 2,500 pages
- Safe drawer = 3 cubic foot or approximately 7,500 pages
- Federal Record Center Box = 1 cubic foot
- Archival box = 1/3 cubic foot or approximately 833 pages

While gaining experience, DoD Components should concentrate their first year's effort in Category 3 records. Doing so should ensure that the Department will achieve the first year's fifteen percent declassification goal.

DoD declassification review personnel should give Category 3 records a cursory examination to confirm the judgment of NARA that there is little chance of endangering national security by allowing Category 3 records to be released. While making this review, personnel will simultaneously review the material to satisfy other factors that potentially could dictate withholding declassified records from public release. The Privacy Act, for example, may come into play even though national security sensitivities have been overcome. The goal is to review the material only once.

During the first year of operation under this plan, declassification personnel may elect not to review file series that contain significant amounts of information classified by other agencies. Such material should be held as classified until interagency reviews or referrals can be coordinated and accommodated efficiently.

Files Series Exemptions

The Secretary of Defense will notify the President through the Assistant to the President for National Security Affairs by October 14, 1995 of any specific file series of records which are replete with information that almost invariably falls within one of the exemption categories listed in section 3.4(b) of Executive Order 12958. Subsequent to this one-time report to the President, future proposals on information to be exempted from declassification at the 25-year mark will be forwarded by DoD Components to the ASD(C3I) for forwarding to the Office of Management and Budget, as appropriate.

File series exemptions approved as such by the President will be included as appendices to this Plan.

In that retention of official DoD records is governed by Title 44 of the United States Code, retention is based on the value of the information -- regardless of its classification. This means that all classified DoD records must be scheduled for disposition and cannot be held due to the security classification of the record. DoD Components may not develop separate records schedules for classified information, based solely upon the security classification of the record.

Component proposed exemption requests must include:

- An explanation of why the information within each file series is almost invariably exempt from automatic declassification;
- An explanation why the information must remain classified for a longer period of time in the interest of national security; and
- A specific date or event for declassification of the information (except for the identity of a confidential human source or a human intelligence source).

Although records may be approved for exemption from declassification at the 25-year mark, the information remains subject to mandatory, systematic, and Freedom of Information Act reviews. Moreover, topical areas may be selected by the DoD senior leadership as worthy of declassification due to researcher or historical interest. Topical declassification reviews will cause all information on a given subject area - regardless of exemption status - to be reviewed throughout the Department. The collective impact of these policies is to subject all classified information to continuous, systematic review through a variety of declassification programs, increasing the likelihood of early release.

Record Volume

The overall volume of 25-year old, permanently valuable records of the Department of Defense is being gauged. That volume is forecast to exceed 500 million pages.

Record Locations

Records subject to this plan are located in DoD Components activities, the Washington National Records Center, and the National Archives of the United States.

Resources

To be determined.

Declassification Programs. The following declassification programs already exist or are mandated by the new Executive Orders.

- **Mandatory Declassification.** Individual information requests by private citizens or groups made under the mandatory declassification program of EO 12958 or Freedom of Information Act (FOIA). Material is reviewed for declassification, but also must be screened for applicable exclusions provided by Government-wide FOIA procedures.

- **Imagery Declassification.** An Imagery Classification Review Task Force was established in 1993 to respond to tasking by DCI Gates. The DCI tasking was to prepare a plan that would - 1) eliminate the codeword RUFF; 2) recommend how to remove or reword imagery reference data from imagery reports; and 3) lead a Community review to examine whether the TALENT-KEYHOLE compartment could be eliminated, and if not, develop a plan to decompartment and declassify more imagery through changes in imagery classification policy. The task force recommended several changes: 1) decompartment most current and archived imagery; 2) declassify early film return imagery; 3) systematically review later imagery for declassification; 4) review imagery from airborne platforms for declassification; and 5) craft a policy for declassification of products from current imagery. Executive Order 12951, signed on February 22, 1995, resulted from this effort, and supported the President's focus on the environment and the use of declassified imagery for environmental studies.

- **Special Interest Topics.** Since at least 1992, the Defense and Intelligence Communities have reacted to special searches for information driven by the Executive Department, Congress or special interest groups. Major searches and declassification efforts included topics such as, records on BCCI, MIA/POW, the JFK assassination, human radiation testing, Persian Gulf War veteran's illnesses, etc. These searches are ad hoc and unprogrammed.

- **Automatic Declassification.** New program initiated by Executive Order 12958 provides for declassification of all records 25 years old or older determined to have permanent historical value. Nine categories of information are exempted from automatic declassification, if the release of the data could be expected to:

- (1) reveal the identity of a confidential human source, or reveal information about the application of an intelligence source or method, or reveal the identity of a human intelligence source when the unauthorized disclosure of that source would clearly and demonstrably damage the national security interests of the United States;

- (2) reveal information that would assist in the development or use of weapons of mass destruction;

- (3) reveal information that would impair US cryptologic systems or activities;

- (4) reveal information that would impair the application of state of the art technology within a US weapon system;

- (5) reveal actual US military war plans that remain in effect;

- (6) reveal information that would seriously and demonstrably impair relations between the United States and a foreign government, or seriously and demonstrably undermine ongoing diplomatic activities of the United States;

- (7) reveal information that would clearly and demonstrably impair the current ability of United States Government officials to protect the President, Vice President, and other officials for whom protection services, in the interest of national security are authorized;

- (8) reveal information that would seriously and demonstrably impair current national security emergency preparedness plans; or

- (9) violate a statute, treaty, or international agreement.

Note: Records exempted from automatic declassification are not exempted from review, and declassification (if possible) with appropriate redaction, under the systematic declassification program.

• Systematic Declassification. As defined in Executive Order 12958, this program applied to historically valuable records exempted from automatic declassification. At the national level, the Order establishes an Information Security Policy Advisory Board to provide recommendations on priorities for declassification review. Priorities would be based on the degree of researcher interest and the likelihood of declassification upon review. Within the Defense Department, a Historical Records Declassification Advisory Panel (HRDAP) has been established under the DoD Historian's Advisory Committee to provide DoD a listing of those topical areas of the greatest interest to the public and academia.

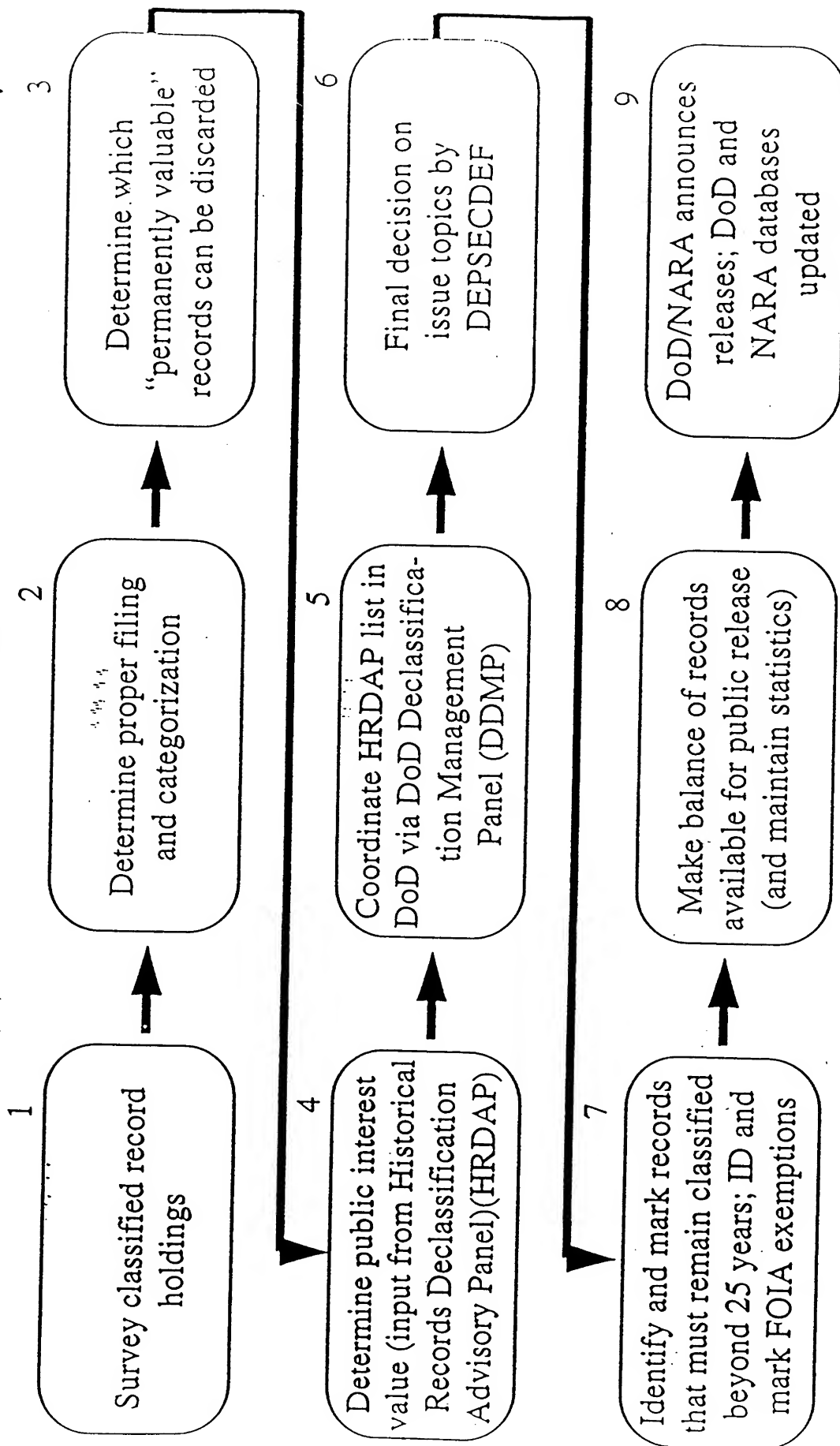
Appendix A

DoD Records Declassification Review Process

- Chart - (DoD Process)
- Chart - (Historical Records Declassification Advisory Panel) (HRDAP)

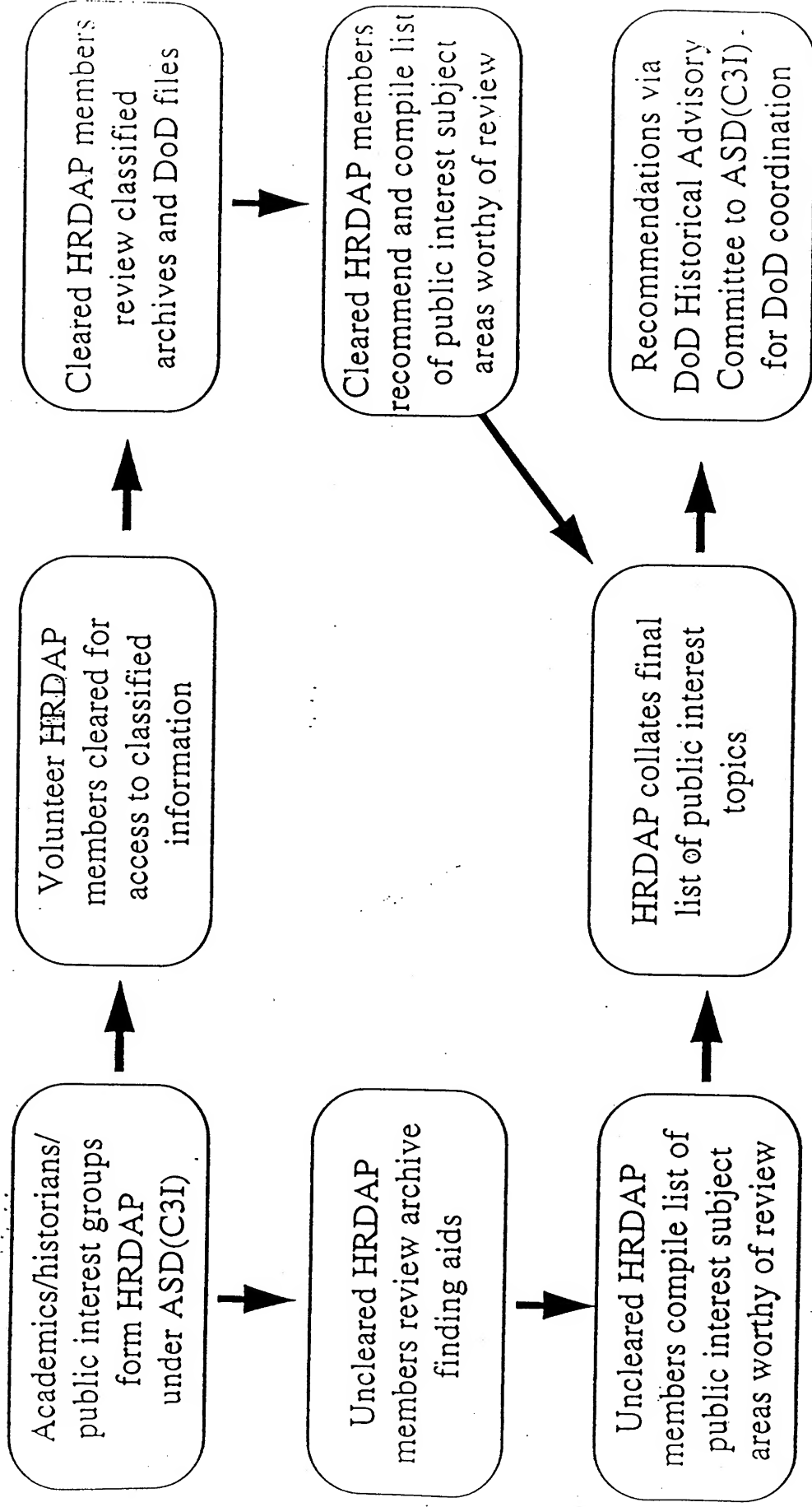
DoD Records Declassification Review

(DoD Process)



DoD Records Declassification Review

(Historical Records Declassification Advisory Panel) (HRDAP)



Terms of Reference DoD Declassification Management Panel

To ensure consistency of declassification efforts within the Department of Defense, and provide the Department's interface with the Historical Record Declassification Advisory Panel (HRDAP), a DoD Declassification Management Panel (DDMP) is established to guide all DoD Components with respect to implementation of section 3.4 of Executive Order 12958, "Classified National Security Information."

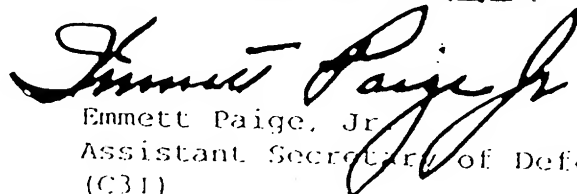
DoD Component heads, or their designees for this purpose, designate in writing a senior representative to serve on the DDMP. The ASD(C3I) representative and chairman is the Acting Deputy Assistant Secretary of Defense (Intelligence and Security). Defense Agencies that do not have extensive classified holdings subject to the requirements of section 3.4 of the Executive Order are not obligated to designate a member to the Panel. The functions of the Panel include:

- Oversight of the process of identifying specific files series of DoD records to be exempt for automatic declassification (reference section 3.4(c)).
- Ensuring consistency of individual DoD Component declassification plans, declassification decisions, and related actions.
- Resolving or recommending solutions to senior leadership on declassification policy conflicts that may arise between Components within the Department of Defense.
- Interaction with the Historical Records Declassification Advisory Panel, the Information Security Policy Advisory Council (reference section 5.5 of the Order), and the National Archives and Records Administration.

APPROVED:

DATE:

13 Oct 1995


Emmett Paige, Jr.
Assistant Secretary of Defense
(C3I)



ADMINISTRATION &
MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE
1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950



November 29, 1995

Library of Congress
Exchange and Gift Division
Federal Advisory Committee Desk
Washington, D.C. 20540

Gentlemen:

Enclosed is a copy of the amended charter for the Department of Defense Historical Advisory Committee, which is being filed with you in accordance with P.L. 92-463, the "Federal Advisory Committee Act." The amendment entails the addition of a panel to advise on declassification of historical records.

Copies of this charter are also being filed with the Senate Committee on Armed Services and House Committee on National Security.

Sincerely,

SIGNED

Howard G. Becker
DoD Committee Management Officer

Enclosure

**CHARTER OF
THE DEPARTMENT OF DEFENSE (DOD) HISTORICAL ADVISORY COMMITTEE**

A. OFFICIAL DESIGNATION: DoD Historical Advisory Committee

B. OBJECTIVES AND SCOPE: The principal objective of the DoD Historical Advisory Committee (hereinafter referred to as the Committee) is to provide advice to the Secretary of Defense, the secretaries of the military departments, and the heads of such other components as may choose to participate, regarding the professional standards, historical methodology, program priorities, liaison with professional groups and institutions, and adequacy of resources, connected with the various historical programs and associated activities of the Department of Defense. These include: historical, archival, museum, library, art, curatorial, and related programs.

C. DURATION: Continuing.

D. OFFICIALS TO WHOM THE COMMITTEE REPORTS: The Committee reports to the Secretary of Defense through the Office of the Secretary of Defense (OSD) Historian. It will consist of subcommittees as established by the military departments and other components. These subcommittees will report to the respective service secretaries or component heads through their historical offices on matters concerning their respective historical programs. The World War II Commemorative Panel will continue to report through the Army for the duration of its activities.

One of the subcommittees, the Historical Records Declassification Advisory Panel (HRDAP), is established to assist the Department in identifying and setting priorities for declassifying Defense records. The Panel will be supported administratively by the Office of the Assistant Secretary of Defense for Command, Control, Communications, and Intelligence (OASD(C3I)), and report to the Secretary of Defense through the OSD Historian. The OSD Historian will serve as the chair of the Panel. The Office of the Deputy Director, Security Program Integration, OASD(C3I) will provide a representative to serve as the Executive Secretary of the Panel and perform the functions of the Designated Federal Officer.

It is anticipated that the HRDAP will meet in full complement approximately four times annually.

E. EXECUTIVE AGENT AND ADMINISTRATIVE SUPPORT ACTIVITY: The OSD Historian will act as executive agent for the DoD Historical Advisory Committee for the purpose of fulfilling the requirements

of the Federal Advisory Committee Act and DoD Directive 5105.4, the "DoD Federal Advisory Committee Management Program." The involved military departments and other DoD components will comply with the legal and procedural requirements, i. e., filing Federal Register notices, providing designated federal officers for meetings, and similar activities. The component subcommittees will be supported administratively and logistically by their respective historical offices. Annual reports of operations and substantive activities will be forwarded to the OSD Historian.

F. DUTIES AND RESPONSIBILITIES: The primary duties of the Committee and its subcommittees will be to: provide advice and recommendations to the Secretary of Defense, service secretaries, and other component heads regarding the missions, scope, adequacy of support, progress, integrity and productivity of the current programs; ensure the conformity of the methodology used with accepted professional standards; assist in ordering the priorities of historical publications and other segments of the programs; evaluate new projects and suggest alternative courses of action for the historical centers and programs.

G. MEMBERSHIP: Members for the DoD Historical Advisory Committee will represent the various academic and professional institutions associated with the Department's historical programs. Efforts will be made to ensure a balanced and diverse membership in terms of the functions to be performed and historical communities represented. There will be a total of from 35 to 40 members.

H. ESTIMATED ANNUAL OPERATING COSTS AND STAFF SUPPORT YEARS: It is estimated that the total annual costs of operations for travel, per diem, consultant fees, staff support, and other incidental costs, will not exceed \$30,000 to \$40,000. Staff support years are anticipated to be 2.0 years of effort annually.

I. NUMBER OF MEETINGS: Each subcommittee will meet approximately two to four times a year.

J. TERMINATION DATE: Indefinite.

K. DATE CHARTER FILED: 24 JAN 1994

AMENDMENT DATE: 29 NOV 1995

April 4, 1996/Prepared by C. Kloss/ODASD(I&S)

Historical Records Declassification Advisory Panel Members

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Robert Wampler
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Gerhard Weinberg
Professor of History
University of North Carolina
MEMBER

Dr. Jeffrey Clark
USA Center of Military History
MEMBER

Dr. William Dudley, Director
Naval Historical Center
MEMBER

Dr. Richard Hallion, Chief
Office of the Air Force History
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Colonel Michael Monigan, ActDir
Marine Corps History & Museums
MEMBER

BG David A. Armstrong
Director for Joint History
MEMBER

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CHAIR, HRDAP

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OASD(C3I)/ODASD(I&S)
Executive Secretary, HRDAP